

No. 417, the Grassley-Baucus amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for Mr. GRASSLEY, for himself, Mr. BAUCUS, and Mr. BINGAMAN, proposes an amendment numbered 417.

Mr. BINGAMAN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide emergency funding to the Office of the United States Trade Representative)

On page 200, between lines 13 and 14, insert the following:

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

For an additional amount for necessary expenses of the Office of the United States Trade Representative, \$2,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

Mr. BINGAMAN. Mr. President, this is an amendment I am offering on behalf of Senator GRASSLEY and Senator BAUCUS and myself. It would provide an additional \$2 million in funding to the Office of the U.S. Trade Representative for the balance of the current fiscal year. The reasons for the amendment are straightforward. As many of us have heard, because of the lack of funding, the Office of the Trade Representative has been forced to eliminate a substantial portion of its foreign travel. It has placed a freeze on all its hiring. It is essentially no longer able to do the job we are requiring it to do.

In my opinion, the U.S. Trade Representative's Office is chronically underfunded and understaffed as it is. It is the principal agency in charge of negotiating and enforcing our trade agreements, and it certainly deserves our support, particularly in this time of unprecedented trade imbalances.

We talk a lot about holding our partners to their obligations in trade agreements. We talk about protecting U.S. jobs. Unfortunately, we have not dedicated a proper amount of resources to this effort.

This fiscal year, the Trade Representative's Office has faced unexpected additional constraints as a result of the WTO Ministerial, travel related to enforcement, the need for more staff to pursue congressionally mandated enforcement actions, and substantial fluctuations in the exchange rate, almost all of which fluctuations, I would point out, have been adverse to the dollar.

This amendment will provide the Trade Representative's Office with the emergency funding needed to get through this fiscal year. It is an investment well worth making. It will add to U.S. competitiveness and economic se-

curity. I hope my colleagues will support the amendment.

I ask that amendment be set aside and the earlier amendment by Senator CHAMBLISS be brought up again.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 483

Mr. BINGAMAN. I yield the floor.

Mr. SESSIONS. Mr. President, I do not see Senator CHAMBLISS, but I would like to enter into a discussion. We will be voting tomorrow on the AgJOBS bill and the Kyl-Chambliss bill, and maybe other bills—the Mikulski bill and who knows what else—in the next few days as we are debating the emergency supplemental. These are amendments filed to the emergency supplemental, legislation to provide funding for our magnificent soldiers who are ably serving our country in harm's way to carry out a national policy that we sent them to carry out.

We have been told that since the House of Representatives, when they passed their emergency supplemental, added several provisions to enhance our border security, recommendations that were in substance made by the 9/11 Commission to provide greater protection to our country against attacks by terrorists, such action by the House has opened the door to any immigration language and bill that we want to offer, that any Member may favor, to be added right onto a supplemental for our soldiers. There is a tremendous difference between those provisions, in my view. The Sensenbrenner language in the House bill is narrow, based on recommendations of the 9/11 Commission, related to our national defense and should have broad-based support. I hope it does. The President supports it. The AgJOBS bill, however, is controversial. It deals with a very large and complex subject that affects our economy and our legal system in a significant way. We absolutely should not be attempting to slip such legislation of such great importance, and on which our country is so divided, onto the emergency defense supplemental.

Let me speak frankly on the issue. There is no legislative or national consensus about how to fix our immigration system. I serve on the subcommittee on immigration of the Senate Judiciary Committee. We have been having a series of important hearings on this subject. Our chairman, Senator JOHN CORNYN, has been working very hard and providing sound leadership, but our subcommittee and the full Judiciary Committee and this Senate are nowhere near ready to develop a comprehensive immigration proposal. This is made clear when we see that a number of outstanding Senators who worked on immigration over the years—such as Senator KYL, Senator DIANNE FEINSTEIN, Senator SAXBY CHAMBLISS—are working on legislation, also.

Surely no one can say this AgJOBS bill that really kicked off this debate is not a colossally important piece of leg-

islation. Every one of us in this body knows that immigration is a matter of great importance to our country and one that we must handle carefully and properly. After the complete failure of the 1986 amnesty effort, surely we know we must do better this time.

Let me state this clearly. I believe we can improve our laws regarding how people enter our country, how they work here, and how they become citizens in this country, and we should do so. We absolutely can do that. Many fine applicants are not being accepted, applicants who could enrich our Nation.

Further, as a prosecutor of 15 years, a Federal prosecutor for almost that long, without hesitation I want to say this: If we improve our fundamental immigration laws and policies, and if at the same time we work to create an effective enforcement system, then we can absolutely eliminate this unconscionable lawlessness that is now occurring in our country and improve immigration policies across the board, serving our national interests and being certainly more sensitive to the legitimate interests of those who would like to come here, live here, work here, or even become citizens.

Any such legislation we pass should, in addition, protect our national security. Of course, we need to keep an eye on our national security—Have we forgotten that? Surely not—and allow increased approval for technically advanced, educated and skilled persons and students, as well as farm labor.

More importantly, under no circumstances should we pass bad legislation that will further erode the rule of law, that will make the current situation worse and will violate important principles that are essential for an effective national immigration policy.

Some will say, Well, Jeff, it is time to do something, even if it is not perfect. My direct answer to that is it is past time to pass laws that improve the ability of our country to protect our security from those who would do us harm. That is our duty. But we simply are not ready to legislate comprehensively on the complex issue of immigration.

We have not come close to completing our hearings in the appropriate subcommittees and the Judiciary Committee.

More importantly still, time or not, we must not pass bad legislation. The Nation tried amnesty for farmworkers in 1986 and few would deny it was a failure. That legislation, the Immigration Reform and Control Act, established within it section 304. The Commission's duty was, after the act had been in effect for some time, to study its impact on the American farming industry. The Commission issued its report and found, in every area, farm labor problems had not been improved and as many as 70 percent of the applications for amnesty were fraudulent.

I wish that weren't so. I wish we could pass laws that people conjure up